

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Stefano FACCIN, et al.
Application No.: 09/709,716
Filing Date: November 13, 2000
Title: TELEPHONY SERVICES IN
MOBILE IP NETWORKS
Art Unit: 2681
Examiner: Temica M. Beamer

RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

April 30, 2006

Sir:

Applicants acknowledge the Office Action dated January 30, 2006. The Office Action contains only a provisional double patenting rejection. Specifically, all of the pending claims (claims 1-4, 6-16, 20-24, 26-29, 33-53, 55-57 and 60-67) are provisionally rejected for obviousness-type double patenting over claims 1-34 of copending Application No. 09/792,057 by Tuija Hurttä in view of U.S. Patent No. 6,677,894 issued to Sheynblat.

While the double patenting rejection is devoid of merit, it is clear that the Office Action is otherwise inappropriate on its face and should not have been made in its present form. As a general matter, piecemeal examination is to be avoided and the examiner ordinarily should reject each claim on all valid grounds available. See MPEP 707.07(g). Moreover, when a "provisional" double patenting rejection is

the only rejection remaining in an application, the examiner should withdraw the provisional double patenting rejection and permit the application to issue as a patent. See MPEP 804, Eighth Edition, page 800-19.

An Amendment was filed on April 14, 2005 which traversed all previous rejections. The outstanding Office Action dated January 30, 2006 inappropriately contains only a provisional double patenting rejection. Applicants thus request that the Office Action be promptly withdrawn and a Notice of Allowance mailed so that this application may proceed to issue as a patent without further delay.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert M. Bauer", is written over a horizontal line.

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